

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12018 of 2018

Arising Out of PS.Case No. -280 Year- 2017 Thana -BIRPUR District- SUPAUL

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Purandeo Paswan, Son of Late Sitaram Paswan, Resident of Village -
Banailipatti (Ward No.6), P.S.- Birpur, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Jha, Advocate.

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.10.2017 in connection with Birpur P.S. Case No. 280 of 2017 for the offences alleged under Sections 376 and 34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as even according to the F.I.R., the petitioner is alleged to have established physical relation with the informant more than 2 years ago. The informant is a mature widow lady with four children since before establishing relations with the petitioner. It is therefore submitted that the physical relation between the parties was consensual and there is no allegation of any force having been used by the petitioner.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur,



District-Supaul, in connection with Birpur P.S. Case No. 280 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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